

REAL ESTATE APPRAISER BOARD

MINUTES OF MEETING

August 18, 2009

The Real Estate Appraiser Board met at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia. The following Board members were present:

Diane Quigley, Chair
Harry Lewis, Jr., Vice-Chair
Sandra Johnson (arrived at 10:09 a.m.)
Richard Pruitt
John C. Harry
H. Glenn James
Ryan A. Myers
Betsy Critzer

Board member not present: Douglas Mullins

DPOR Staff present for all or part of the meeting included:

Jay DeBoer, Director
Mark Courtney, Deputy Director
Christine Martine, Executive Director
Kevin Hoeft, Board Administrator
Bonnie Rhea Adams, Director of Complaint
Analysis, & Resolution
Earlyne Perkins, Legal Analyst
Emily Trent, Administrative Assistant

Chair Diane Quigley called the meeting to order at 10:02 AM.

Call to Order

A motion was made by Mr. Harry and seconded by Mr. Lewis to approve the agenda. The motion passed unanimously. Members voting "Yes" were Critzer, Lewis, James, Pruitt, Myers, Harry and Quigley.

Approval of Agenda

A motion was made by Mr. Lewis and seconded by Mr. Pruitt to approve the following minutes: May 6, 2009, Board Meeting; May 21, 2009, Informal Fact-Finding Conference; May 22, 2009, Informal

Approval of Minutes

Fact-Finding Conference; May 22, 2009, Broker Price Opinion Committee Meeting; June 22, 2009, Informal Fact-Finding Conference; June 30, 2009, Informal Fact-Finding Conference and July 7, 2009, Informal Fact-Finding Conference. The motion passed unanimously. Members voting "Yes" were Critzer, Lewis, James, Myers, Pruitt, Quigley and Turner.

Jayne Allen addressed the Board concerning unlicensed individuals performing appraisals and the investigation process. No action was taken by the Board.

Public Comment

Sandra Johnson arrived at 10:08 A.M.

Arrival of Board Member

In the matter of **File Number 2010-00082, Stephen McCanna**, the Board reviewed the application file, the transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Mr. James and seconded by Mr. Harry to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and remand to another Informal Fact-Finding Conference to obtain additional information. The motion passed unanimously. Members voting "Yes" were Critzer, Lewis, James, Johnson, Myers, Pruitt, Harry and Quigley.

**File Number 2010-00082,
Stephen McCanna**

In the matter of **File Number 2009-03662, Raymond Curtis**, the Board reviewed the record, which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Mr. Curtis was present and addressed the Board. A motion was made by Mr. Harry and seconded by Mr. Pruitt to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Mr. Curtis' application for a Certified Residential Appraiser license. The motion passed unanimously. Members voting "Yes" were Lewis, Myers, Johnson, James, Pruitt, Quigley and Harry.

**File Number 2009-03662,
Raymond Curtis**

As the presiding Board member, Ms. Critzer did not participate in discussion or vote in this matter.

In the matter of **File Number 2009-03663, Raymond Curtis**, the Board reviewed the investigative file, the transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number 2009-03663,
Raymond Curtis**

Mr. Curtis, respondent, was present and addressed the Board. A motion was made by Mr. Pruitt and seconded by Mr. Myers to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and close Count 1 with a finding of no violation of 18 VAC 130-20-180.K4 of the Board's 2003 Regulations. The motion passed majority vote. Members voting "Yes" were Lewis, Johnson, Myers, Pruitt and Harry. Members voting "No" were Quigley and James.

A motion was made by Mr. Pruitt and seconded by Mr. Myers to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and instead close Count 2 with a finding of no violation of 18 VAC 130-20-180.K.5 of the Board's 2003 Regulations. The motion passed by majority vote. Members voting "Yes" were Lewis, Johnson, Myers, Pruitt and Harry. Members voting "No" were Quigley and James.

As the presiding Board member, Ms. Critzer did not participate in the discussion or vote on this matter.

In the matter of **File Number 2009-04225, Ralph Pena, III**, the Board reviewed the record, which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Mr. Pena was present and addressed the Board. A motion was made by Mr. Pruitt and seconded by Ms. Quigley to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Mr. Pena's application for a Certified Residential Appraiser license. The motion passed unanimously. Members voting "Yes" were Lewis, Myers, Johnson, James, Pruitt, Quigley and Harry.

File Number 2009-04225,
Ralph Pena, III

As the presiding Board member, Ms. Critzer did not participate in discussion or vote in this matter.

In the matter of **File Number 2009-01301, Faisal A. Malik**, the Board reviewed the Consent Order as seen and agreed to by Mr. Malik. A motion was made by Mr. Harry and seconded by Mr. Pruitt to accept the proposed Consent Order wherein Mr. Malik admits to a (2 violations) of 18 VAC 130-20-180.D (Count 1) of the Board's 2003 Regulations, (3 violations) of 18 VAC 130-20-180.D (Count 2) of the Board's 2003 Regulations, and a violation of 18 VAC 130-20-180.K.1

File Number 2009-01301,
Faisal A. Malik

(Count 3) of the Board 2003 Regulations, and agrees to a monetary penalty of \$500.00 for each violation contained in Count 1, \$500.00 for each violation contained Count 2, \$500.00 for the violation contained in Count 3, as well as \$150.00 in Board costs for a total of \$3,150.00. In addition, Malik is required to take an upper level Residential Appraisal Course. Such course shall be offered by a member provider of the Appraisal Foundation or from one approved by the Board. Such course shall be a minimum of fifteen (15) classroom hours and shall not be completed on-line. Upon successful completion of the course, Malik shall provide the Board with proof of passing the exam within six (6) months of the execution of the Order. Also, Malik agrees to complete a fifteen (15) hour USPAP course. The USPAP course shall not be completed on-line. Malik agrees to provide proof of attendance and successful completion within six (6) months of the effective date of the Order. It is acknowledged that satisfactory completion of the above-referenced courses will not count towards any continuing or pre-license education requirements needed for license renewal, reinstatement, or license upgrade. The motion passed unanimously. Members voting "Yes" were Lewis, Myers, Johnson, Critzer, Pruitt, Quigley and Harry.

As the Board member who reviewed the file, Mr. James did not participate in the discussion or vote on this matter.

In the matter of **File Number 2009-02583, Timothy D. Coester**, the Board reviewed the Consent Order as seen and agreed to by Mr. Coester. A motion was made by Ms. Quigley and seconded by Mr. Myers to accept the proposed Consent Order wherein Mr. Coester admits to (2 violations) of 18 VAC 130-20-180.D (Count 1) of the Board's 2003 Regulations, and agrees to a monetary penalty of \$300.00 for each violation contained in Count 1, as well as \$150.00 in Board costs for a total of \$750.00. The motion passed unanimously. Members voting "Yes" were Lewis, Myers, Johnson, Critzer, Pruitt, Quigley and Harry.

File Number 2009-02583,
Timothy D. Coester

As the Board member who reviewed the file, Mr. James did not participate in the discussion or vote on this matter.

In the matter of **File Number 2009-01059, Thorbjorn R. Larsen, II**, the Board reviewed the investigative file, the transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the

File Number 2009-01059,
Thorbjorn R. Larsen, II

Informal Fact-Finding Conference. Mr. Larsen, respondent and Kathleen Kust, witness, were present and addressed the Board. A motion was made by Ms. Critzer and seconded by Mr. Lewis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 130-20-180.K.1 (Count 1) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Lewis, Myers, Johnson, Critzer, Pruitt, Quigley and Harry.

A motion was made by Ms. Critzer and seconded by Mr. Pruitt to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 130-20-180.K.1 (Count 2) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Lewis, Myers, Johnson, Critzer, Pruitt, Quigley and Harry.

A motion was made by Ms. Critzer and seconded by Mr. Pruitt to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to close (Count 3) with a finding of no violation of 18 VAC 130-20-180 of the Board's 2008 Regulations. The motion passed unanimously. Members voting "Yes" were Lewis, Myers, Johnson, Critzer, Pruitt, Quigley and Harry.

A motion was made by Ms. Critzer and seconded by Mr. Lewis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$2,000.00 for the violation contained in Count 1. In addition, suspension of license for a period of two (2) years for the violation contained in Count 1. The motion passed unanimously. Members voting "Yes" were Lewis, Myers, Johnson, Critzer, Pruitt, Quigley and Harry.

A motion was made by Ms. Critzer and seconded by Ms. Johnson to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$2,000.00 for the violation contained in Count 2, for a total of \$4,000.00. The motion passed unanimously. Members voting "Yes" were Lewis, Myers, Johnson, Critzer, Pruitt, Quigley and Harry.

As the presiding Board member, Mr. James did not participate in the discussion or vote on this matter.

In the matter of **File Number 2009-00728, Jolene Unger-Sharp**, the

File Number 2009-00728,

Board reviewed the investigative file, the transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Ms. Unger-Sharp, respondent was present and addressed the Board. A motion was made by Mr. Harry and seconded by Ms. Johnson to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 130-20-180.D (Count 1), of the Board's 2003 Regulations. The motion passed by majority vote. Members voting "Yes" were Critzer, Johnson, Myers, Pruitt, Quigley and Harry. Member voting "No" was Lewis.

Jolene Unger-Sharp

A motion was made by Ms. Johnson and seconded by Mr. Pruitt to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$750.00 for the violation contained in Count 1, for a total of \$750.00. The Board also imposes the following sanctions: Probation of license until Unger-Sharp submits evidence acceptable to the Board that she has completed and passed the examination for an upper level Residential Appraisal Course approved by the Appraisal Foundation or by the Board. Such course shall be a minimum of thirty (30) classroom hours and shall not be completed on-line. It is acknowledged that satisfactory completion of the above-referenced course will not count towards any continuing education requirements for renewal of license, reinstatement, or to upgrade a license. The motion passed by majority vote. Members voting "Yes" were Critzer, Johnson, Myers, Pruitt, Quigley and Harry. Member voting "No" was Lewis.

As the presiding Board member, Mr. James did not participate in the discussion or vote on this matter.

The Board recessed from 11:40 A.M. to 11:55 A.M.

Break

In the matter of **File Number 2009-02133, Brian B. Livesay**, the Board reviewed the investigative file, the transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. James Livesay, witness, was present and addressed the Board. A motion was made by Ms. Quigley and seconded by Mr. Myers to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to close the file with a finding of no violation of 18 VAC 130-20-180.E (Count 1), of the Board's 2008 Regulations, no violation of 18 VAC 130-20-180.E (Count 2), of the Board's 2008 Regulations, no

File Number 2009-02133,
Brian B. Livesay

violation of 18 VAC 130-20-180.D (Count 3), of the Board's 2008 Regulations. The motion passed unanimously. Members voting "Yes" were Critzer, Lewis, Johnson, Myers, James, Pruitt, Quigley and Harry.

In the matter of **File Number 2009-03579, James Livesay**, the Board reviewed the investigative file, the transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. James Livesay, respondent, was present and addressed the Board. A motion was made by Ms. Quigley and seconded by Mr. Myers to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to close the file with a finding of no violation of 18 VAC 130-20-180.E (Count 1), of the Board's 2008 Regulations, no violation of 18 VAC 130-20-180.E (Count 2), of the Board's 2008 Regulations, no violation of 18 VAC 130-20-180.D (Count 3), of the Board's 2008 Regulations. The motion passed unanimously. Members voting "Yes" were Critzer, Lewis, Johnson, Myers, James, Pruitt, Quigley and Harry.

File Number 2009-03579,
James Livesay

Ms. Quigley turned the position of Chair over to Mr. Lewis.

Transfer of Chair

In the matter of **File Number 2009-00813, Mae H. Lang**, the Board reviewed the investigative file, the transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Mr. Pruitt and seconded by Mr. James to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 130-20-180.D (Count 1), of the Board's 2003 Regulations, a violation of 18 VAC 130-20-180.D (Count 2), of the Board's 2003 Regulations, and a violation of 18 VAC 130-20-180.K.1 (Count 3), of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Critzer, Lewis, Johnson, Myers, James, Pruitt and Harry.

File Number 2009-00813,
Mae H. Lang

A motion was made by Mr. Pruitt and seconded by Ms. Johnson to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and instead impose a monetary penalty of \$250.00 for the violation contained in Count 1, \$250.00 for the violation contained in Count 2, and \$900.00 for the violation contained in Count 3, for a total of \$1,400.00. The Board also imposes the following sanctions: probation of license until such

time that Lang has completed: 1) an upper level Residential Appraisal Course. Such course shall be offered by a member provider of the Appraisal Foundation or from one approved by the Board. Such course shall be a minimum of ninety (90) classroom hours (no no-line courses) and shall not count towards any education requirement needed for license renewal, reinstatement, or license upgrade; and 2) 15 hour USPAP course to be completed in the classroom (no on-line courses). Lang must provide proof of attendance and successful completion and passing the exam. It is acknowledged that satisfactory completion of the above-referenced USPAP course will not count towards any continuing education requirements for renewal of license, reinstatement, or to upgrade a license. Further, Lang is placed on probation for two (2) years during which time she will not supervise any appraiser trainees. The motion passed by majority vote. Members voting "Yes" were Lewis, Johnson, Myers and Pruitt. Member voting "No" were Harry, Critzer and James.

As the presiding Board member, Ms. Quigley did not participate in the discussion or vote on this matter.

In the matter of **File Number 2009-00811, Mae H. Lang**, the Board reviewed the investigative file, the transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Mr. Pruitt and seconded by Ms. Critzer to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 130-20-180.D (Count 1), of the Board's 2003 Regulations, a violation of 18 VAC 130-20-180.D (Count 2), of the Board's 2003 Regulations, and a violation of 18 VAC 130-20-180.K.1 (Count 3), of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Critzer, Lewis, Johnson, Myers, James, Pruitt and Harry.

File Number 2009-00811,
Mae H. Lang

A motion was made by Ms. Critzer and seconded by Mr. James to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$250.00 for the violation contained in Count 1, \$250.00 for the violation contained in Count 2, and \$900.00 for the violation contained in Count 3, for a total of \$1,400.00. The Board also imposes the following sanctions: probation of license until such time as Lang submits evidence to the Board that she has completed a

15 hour USPAP course. The USPAP course shall not be completed on-line. Lang agrees to provide proof of attendance and successful completion. It is acknowledged that satisfactory completion of the above-referenced USPAP course will not count towards any continuing education requirements for renewal of license, reinstatement, or to upgrade a license. The above-mentioned sanction of course completion will run concurrent with the USPAP course sanction in file number 2009-00813. Further, the Board imposes suspension of license for a period of 90 days. The Board voted to impose the suspension due to the seriousness of the violations and due to previous disciplinary action. The motion passed by majority vote. Members voting "Yes" were Critzer, Lewis, Johnson, James and Harry. Members voting "No" were Pruitt and Myers.

As the presiding Board member, Ms. Quigley did not participate in the discussion or vote on this matter.

In the matter of **File Number 2008-03090, Stephen M. Smith**, the Board reviewed the investigative file, the transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Stephen M. Smith, respondent, was present and addressed the Board. A motion was made by Mr. Lewis and seconded by Mr. Pruitt to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 130-20-180.D (Count 1), of the Board's 2003 Regulations, a violation of 18 VAC 130-20-180.D (Count 2), of the Board's 2003 Regulations, no violation of 18 VAC 130-20-180.E (Count 3), of the Board's 2003 Regulations, and a violation of 18 VAC 130-20-180.K.1 (Count 4), of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Critzer, Lewis, Johnson, Myers, James, Pruitt and Harry.

File Number 2008-03090,
Stephen M. Smith

A motion was made by Mr. Pruitt and seconded by Mr. Myers to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$300.00 for the violation contained in Count 1, \$300.00 for the violation contained in Count 2, \$300.00 for the violation contained in Count 3, for a total of \$900.00. The Board also imposes the following sanctions: For Count 1, Count 2 and Count 4, probation of license until such time that Smith has completed an upper level Residential Appraisal Course. Such course shall be offered by a

member provider of the Appraisal Foundation or from one approved by the Board. Such course shall be a minimum of thirty (30) classroom hours (no on-line courses) and shall not count towards any continuing education requirements for renewal of license, reinstatement, or to upgrade a license. The motion passed unanimously. Members voting "Yes" were Critzer, Lewis, Johnson, Myers, James, Harry and Pruitt.

As the presiding Board member, Ms. Quigley did not participate in the discussion or vote on this matter.

In the matter of **File Number 2008-01472, Janine R. Leonard**, the Board reviewed the investigative file, the transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Ms. Critzer and seconded by Mr. James to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 130-20-180.D (Count 1), of the Board's 2003 Regulations, a violation of 18 VAC 130-20-180.E (Count 2), of the Board's 2003 Regulations, and a violation of 18 VAC 130-20-180.K.1 (Count 3) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Critzer, Lewis, Pruitt, Johnson, Harry, Myers and James.

File Number 2008-01472,
Janine R. Leonard

A motion was made by Mr. Pruitt and seconded by Mr. Myers to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$600.00 for the violation contained in Count 1, \$600.00 for the violation contained in Count 2, and \$1,200.00 for the violation contained in Count 3, for a total of \$2,400.00. The Board also imposes the following sanctions: In addition, Leonard's license will be placed on probation until such time as she has completed: 1) an upper level Residential Appraisal Course. Such course shall be offered by a member provider of the Appraisal Foundation or from one approved by the Board. Such course shall be a minimum of 45 classroom hours no on-line courses and shall not count towards any education requirement needed for license renewal, reinstatement, or license upgrade; and 2) 15 hour USPAP course to be completed in the classroom (no on-line courses). Leonard must provide proof of attendance and successful completion. It is acknowledged that satisfactory completion of the above-referenced USPAP course will not count towards any continuing education requirements for

renewal of license, reinstatement, or to upgrade a license. The Board voted to remove the sanction of license suspension due to no prior disciplinary action on Leonard's record. The motion passed by majority vote. Members voting "Yes" were Lewis, Johnson, Myers, and Pruitt. Members voting "No" were Critzer, Harry and James.

As the presiding Board member, Ms. Quigley did not participate in the discussion or vote on this matter.

In the matter of **File Number 2009-02996, Robert A. Craig, III**, the Board reviewed the Consent Order as seen and agreed to by Mr. Craig. A motion was made by Ms. Critzer and seconded by Mr. Harry to accept the proposed Consent Order wherein Mr. Craig admits to a violation of 18 VAC 130-20-180.K.2 (Count 1) of the Board's 2008 Regulations, and a violation of 18 VAC 130-20-180.K.3 (Count 2) of the Board's 2008 Regulations, and agrees to no monetary penalty for the violation contained in Count 1, \$150.00 for the violation contained in Count 2, as well as \$150.00 in Board costs for a total of \$300.00. In addition, for the violation of Count 1, Craig agrees to revocation of his license. The motion passed unanimously. Members voting "Yes" were Myers, Critzer, Lewis, Pruitt, Johnson, James and Harry.

File Number 2009-02996,
Robert A. Craig, III

As the Board member who reviewed the file, Ms. Quigley did not participate in the discussion or vote on this matter.

Ms. Quigley returned and assumed the position of Chair.

Transfer of Chair

In the matter of **File Number 2009-02767, Newell Steven Gordy**, the Board reviewed the Consent Order as seen and agreed to by Mr. Gordy. A motion was made by Mr. Harry and seconded by Mr. Myers to accept the proposed Consent Order wherein Mr. Gordy admits to a violation of 18 VAC 130-20-180.D (Count 1) of the Board's 2003 Regulations, and (2 *violations*) of 18 VAC 130-20-180.D (Count 2) of the Board's 2003 Regulations, and agrees to a monetary penalty of \$600.00 for the violation contained in Count 1, and \$300.00 for each violation contained in Count 2, as well as \$150.00 in Board costs for a total of \$1,350.00. In addition, Gordy is required to take an upper level Residential Appraisal Course. Such course shall be offered by a member provider of the Appraisal Foundation or from one approved by the Board. Such course shall be a minimum of forty-five (45) classroom hours and shall not be completed on-line. Upon successful completion of the course, Gordy shall provide the Board with proof of

File Number 2009-02767,
Newell Steven Gordy

the passing the exam within six (6) months of the execution of the Order. It is acknowledged that satisfactory completion of the above-referenced course will not count towards any continuing or pre-license education requirements needed for license renewal, reinstatement, or license upgrade. In addition, Gordy agrees to complete a fifteen (15) hour USPAP course. The USPAP course shall not be completed on-line. Gordy agrees to provide the Board with proof of attendance and successful completion within six (6) months of the effective date of the Order. It is acknowledged that satisfactory completion of the above-referenced USPAP course will not count towards any continuing education requirements needed for license renewal, reinstatement, or license upgrade. The motion passed unanimously. Members voting "Yes" were Myers, Critzer, Lewis, Quigley, Johnson, James and Harry.

As the Board member who reviewed the file, Mr. Pruitt did not participate in the discussion on this matter.

In the matter of **File Number 2008-03250, Mohamed Musah**, the Board reviewed the investigative file, the transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Mr. Musah, respondent, and Joseph Cerroni, attorney for the respondent, were present and addressed the Board. A motion was made by Ms. Critzer and seconded by Mr. Harry to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 130-20-180.D (Count 1), of the Board's 2003 Regulations, a violation of 18 VAC 130-20-180.D (Count 2), of the Board's 2003 Regulations, a violation of 18 VAC 130-20-180.D (Count 3) of the Board's 2003 Regulations, a violation of 18 VAC 130-20-180.E (Count 4) of the Board's 2003 Regulations, and a violation of 18 VAC 130-20-180.E (Count 5) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Critzer, Lewis, Pruitt, Quigley, Johnson, Harry, Myers and James.

File Number 2008-03250,
Mohamed Musah

A motion was made by Mr. Harry and seconded by Mr. Pruitt to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$400.00 for the violation contained in Count 1, \$400.00 for the violation contained in Count 2, \$400.00 for the violation contained in Count 3, \$400.00 for the violation contained in Count 4, and

\$400.00 for the violation contained in Count 5, for a total of \$2,000.00. The Board also imposes the following sanctions: probation until Musah submits evidence acceptable to the Board that he has completed an upper level Residential Appraisal Course. Such course shall be offered by a member provider of the Appraisal Foundation or from one approved by the Board. Such course shall be a minimum of thirty (30) classroom hours and shall not be completed on-line. It is acknowledged that satisfactory completion of the above-referenced course will not count towards any continuing education requirements for renewal of license, reinstatement, or to upgrade a license. The motion passed by majority vote. Members voting "Yes" were Lewis, Johnson, Myers, Harry, Quigley and Pruitt. Members voting "No" were Critzer and James.

In the matter of **File Number 2008-04200, Melissa L. Blanken**, the Board reviewed the investigative file, the transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Ms. Quigley and seconded by Ms. Critzer to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 130-20-170.2 (Count 1), of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Critzer, Lewis, Johnson, Myers, James, Pruitt, Quigley and Harry.

File Number 2008-04200,
Melissa L. Blanken

A motion was made by Ms. Quigley and seconded by Mr. James to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanction: revocation of license for the violation of Count 1. The motion passed by majority vote. Members voting "Yes" were Lewis, Johnson, Pruitt, Myers, Quigley and Harry. Member voting "No" were Critzer and James.

A motion was made by Ms. Quigley and seconded by Mr. James to approve the filing of exempt action to update the Board's regulations. The motion passed unanimously. Members voting "Yes" were Critzer, Lewis, Johnson, Myers, James, Pruitt, Quigley and Harry.

Administrative Issues

Lawrence Marshall, asked the Board to undo Sherry Kelly-Ivey's suspension for failure to comply with the terms of the Consent Order in File Number 2008-03253. No action was taken by the Board.

Old Business

The Board recessed from 2:00 P.M. to 2:10 P.M.

Break

The Board completed Conflict of Interest Training.

Administrative Issues

There being no further business, the meeting adjourned at 3:05 P.M.

Adjourn

Diane Quigley, Chair

Jay W. DeBoer, Secretary

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